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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,029	12/11/2003	Haewon Uhm	FDN-2821	8739

7590 05/17/2007

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EXAMINER	
CORDRAY, DENNIS R	
ART UNIT	**PAPER NUMBER**
1731	

MAIL DATE	DELIVERY MODE
05/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 10/734,029	**Applicant(s)** UHM ET AL.	
	Examiner Dennis Cordray	**Art Unit** 1731	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 08 May 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☒ The period for reply expires *4* months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: *1-6 and 8-18*.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

Continuation of 11. Applicant's arguments filed 5/8/2007 have been fully considered but they are not persuasive. Applicant argues that none of the cited prior art explicitly teaches drying the glass fibers as they move on a conveyor. Applicant also argues that Jaffee teaches transferring a mat to a second moving screen and that, if the mat were already moving, it would not then be transferred to a moving screen. Applicant further argues that, when suction boxes are used, the mat needs to be held over the suction box for a period of time for it to dry. Applicant discusses a prior art method (not necessarily the only prior art method) of drying wherein the glass fibers are allowed to dry for a few days before being binded into webs.

Regarding drying the mat on a moving screen, the office action stated that "while Jaffee does not explicitly state that thewet web is dewatered on the moving screen, the process is inherent, or at least would have been obvious to one of ordinary skill in the art, from the descriptions and diagrams of the formers." Jaffee discloses that the wet mat is dewatered to the desired level with a suction box (dewatering is a drying process, thus the mat is dried to some extent on the suction box). The wet nonwovwen layer of fiber (note that the instant claims do not recite to what degree the mat is dried before being contacted with a binder) is preferably, but not necessarily, transferred to a second moving screen where the binder is applied (col 4, lines 16-22). Jaffee thus discloses two embodiments; 1) a second moving screen can be used for binder application, thus implicitly disclosing that the mat is transferred from a first moving screen or 2) that the binder can be applied without transferring to a second moving screen. Since the binder is applied on a moving screen, the second embodiment implicitly discloses that the forming, dewatering by suction box and application of binder are conducted on a single moving screen. One of ordinary skill in the art would find it obvious from the disclosure of Jaffee that the suction dewatering (a drying process) of the mat is conducted on a moving screen, regardless of the embodiment selected.

In addition, at least one of the detailed schematics and descriptions sent with the last Office Action, that for the Deltaformer™, states "Machine speeds up to 600 m/min" and "a vacuum forming box with multiple compartments", and shows a schematic diagram having a vacuum forming box (also a drying process) located under the continuous moving forming wire, clearly indicating that drying occurs while the collected fibers travel on the continuous moving wire.

It has also been held in the courts that making a batch operation continuous would be obvious to one of ordinary skill in the art. In re Dilnot, 319 F.2d 188, 138 USPQ 248 (CCPA 1963) (Claim directed to a method of producing a cementitious structure wherein a stable air foam is introduced into a slurry of cementitious material differed from the prior art only in requiring the addition of the foam to be continuous. The court held the claimed continuous operation would have been obvious in light of the batch process of the prior art.).

The Examiner contends that Jaffee implicitly teaches a mat drying process performed on a moving screen prior to application of a binder or, at least, it would have been obvious to one of ordinary skill in the art to dry the mat on a moving screen from the disclosure of Jaffee and the knowledge generally available.

The rejections are maintained.

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